

Congress of the United States
Washington, D.C. 20515

June 4, 2020

Honorable Jerrold Nadler
Chairman
Committee on Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Honorable Jim Jordan
Ranking Member
Committee on Judiciary
2142 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Nadler and Ranking Member Jordan:

We write to express our increasing concern about the spread of child sexual abuse material (CSAM) online. Last September, The New York Times published a report detailing the ways in which the federal government has failed to address the epidemic of child exploitation online.¹ Since then, the COVID-19 pandemic has intensified this problem.

The pandemic has caused state and local governments to take drastic, but necessary, steps to protect citizens and prevent the spread of the virus. All 50 states implemented school, retail, and business closures in order to prevent the spread of the virus. However, an unintended consequence of state issued stay-at-home orders has been an increase in the spread of CSAM online. In March and April alone, The National Center for Missing and Exploited Children (NCMEC) received over 6 million reports relating to CSAM. Reported CSAM to NCMEC in March 2020 more than doubled from March of 2019,² and more than tripled from April 2020 compared to April 2019.³

Given this increase, and the critical importance of preventing the spread of CSAM online, we request the Committee consider legislation that would combat this problem. Our bipartisan bill H.R. 5376, the Eliminate Network Distribution of Child Exploitation, or END Child Exploitation Act, would provide overwhelmed law enforcement a vital tool for combatting the spread of CSAM online.

¹ Dance, Gabriel J.X. and Heller, Michael H. "The Internet Is Overrun With Images of Child Sexual Abuse. What Went Wrong?" *The New York Times* 30 September 2019

² Solon, Olivia. "Child sexual abuse images and online exploitation surge during pandemic." *NBC News* 23 April 2020

³ Brewster, Thomas. "Child abuse complaints surpass 4 million in April. This is how cops are coping despite COVID-19." *Forbes* 9 May 2020

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Currently, tech companies are required to retain information on CSAM for 90 days after reporting the material to NCMEC. This timeframe is often not sufficient for habitually under-resourced law enforcement to conduct the necessary investigative process. The END Child Exploitation Act doubles this time frame to 180 days and provides legal certainty to tech companies that store this reported content for a period past 180 days for the purpose of preventing the further dissemination of the content.

The END Child Exploitation Act has bipartisan support in both the House and the Senate. Additionally, the bill has been endorsed by NCMEC, the Internet Association, the National Association to Protect Children (PROTECT), and the Fraternal Order of Police.

In 2019, technology companies reported 69 million images and videos depicting abuse to NCMEC. With the uptick from the COVID-19 crisis, this number will presumably be even higher in 2020. Congress must act now to prevent the spread of CSAM online. Thank you for your consideration. We look forward to working with you. If you have any questions, please do not hesitate to contact Congressman Gonzalez's staff at Elizabeth.Barczak@mail.house.gov.

Sincerely,



Anthony Gonzalez
Member of Congress



Ann McLane Kuster
Member of Congress